

## **REMARKS / ARGUMENTS**

This is intended as a full and complete response to the Office Action dated March 30, 2007, having a shortened statutory period for response set to expire on July 2, 2007 (June 30, 2007, falls on a Saturday). Please reconsider the claims pending in the application for reasons discussed below.

Claims 16-35 and 37-56 are pending in the application. Claims 18-28, 30-35, 39-49, and 57-62 remain pending following entry of this response. Claims 18, 22-23, 27-28, 30, 32, 34-35, 39, 43-44, and 48-49 have been amended. Claims 16-17, 29, 37-38, and 50-56 have been cancelled. New claims 57-62 have been added to recite aspects of the invention. The Applicant submits that the amendments and new claims do not introduce new matter.

### **Claim Objections**

Claims 18, 22-23, 27-29, 39, 43-44, and 48-54 are objected to by the Examiner because of informalities. In response, the Applicant has cancelled claims 18, 29, and 50-54 and amended claims 22-23, 27-28, 39, 43-44, 48-49 as suggested by the Examiner. Withdrawal of the objection is respectfully requested.

### **Claim Rejections under 35 U.S.C. § 112 (First Paragraph)**

Claims 16-35 and 37-56 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner asserts that the specification does not provide basis or support for the “nickel metal” and the “rhodium” metal as separate components from the perovskite crystallographic structure. In an effort to move prosecution forward, and without conceding the point, the Applicant has cancelled claims 16-17, 29, 37-38, and 50-56 and has re-written claims 18 and 39 in independent form and in a manner that is believed to obviate the rejection. Withdrawal of the rejection is respectfully requested.

### **Claim Rejections under 35 U.S.C. § 112 (Second Paragraph)**

Claims 16-35 and 37-56 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner asserts that because the specification does not clearly define that the nickel metal and the rhodium metal are separate components from the perovskite crystallographic structure, it renders the claims vague and indefinite. In an effort to move prosecution forward, and without conceding the point, the Applicant has cancelled claims 16-17, 29, 37-38, and 50-56 and has re-written claims 18 and 39 in independent form and in a manner that is believed to obviate the rejection. Withdrawal of the rejection is respectfully requested.

Claim 50 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner asserts that because the recited compound of claim 50 does not include Rh, and because claim 39, from which claim 50 depends, recites Rh<sub>y</sub>, wherein 0<y,0.5, the claim is rendered vague and indefinite. In response, the Applicant has cancelled claim 50. Withdrawal of the rejection is respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 102**

Claims 16-17, 30-35, 37-38, and 51-56 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Petit et al.* (U.S. Patent No. 5,447,705) (hereinafter “*Petit*”). The Applicant respectfully responds.

The Applicant has cancelled claims 16-17, 37-38, and 51-56. The Applicant has also amended claims 30-35 to depend from re-written claim 18. The rejection is therefore moot, and withdrawal of the rejection is respectfully requested.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance, and allowance of the claims is respectfully requested. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/

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